

**MANY
SENSATIONS
SPRUNG BY
DORSEY
AT FRANK
HEARING**

Detective Lehon
Ordered Held

Under Bond for Grand
Jury

Defense Vigorously
Assailed

In Numerous
Affidavits

EPPS CHARGES
FRAME-UP

IN GETTING HIS
AFFIDAVIT

Aaron Allen Swears He
Was

Left in Burns' Office
With

Pile of Money— Defense Of- fers Evidence in Rebuttal

When the hearing of the extraordinary motion for new trial for Leo M. Frank was adjourned by Judge Benjamin H. Hill at 2 o'clock Tuesday afternoon until Wednesday morning, Solicitor Dorsey had concluded his counter showing against the granting of the motion and the defense was well into the reading of their affidavits in rebuttal.

An order issued by Judge Hill placing Dan S. Lehon, southern representative of the William J. Burns Detective agency, under a \$1,000 bond to ensure his appearance before the Fulton County grand jury for an investigation of his alleged connection with the Ragsdale affidavit was one of the sensations of the morning.

At 1:15 o'clock Lehon appeared in court and his bond was signed by Milton Klein.

Another interesting feature was the affidavit of George W. Epps, Jr., in which the newsboy reaffirmed the testimony given by him at the trial of Frank and told a sensational story about the manner in which he alleged he had been intimidated into signing his affidavit of repudiation for the defense. Epps swore he was carried to Birmingham by a man masquerading as Terry; that on the way to the train he was met by a man wearing glasses, who seemed to be almost blind; that on arrival in Birmingham at 3 o'clock in the morning, as he and Terry were leaving the train, a man claiming to be Detective Kelly, of the Birmingham police

department, came up to him and placed him under arrest, charging him with the theft of \$12 from a messenger service.

TOLD HE WAS WANTED.

He swore that Terry pleaded for him and that Detective Kelly agreed to phone the chief of detectives; that he did telephone some one, and then informed him that the chief would not agree to his release, but wanted him held for perjury in the Phagan murder case. Finally, swears Epps, the chief came to his room and all three of the men insisted on his making an affidavit; that he was not permitted to get any sleep and that, worn out and frightened, he at last accompanied the three men to the office of a lawyer and signed an affidavit. Epps swears he has since learned that the man who called himself Terry was in reality Jimmie Wrenn, that "Detective Kelly" turned out to be C. W. Burke, and that the chief of detectives was in reality B. Bernard, of Atlanta, and that Bernard, also in his opinion, was the blind man who accompanied him.

The affidavit of Aaron Allen, colored, told of the alleged efforts on the part of Detective Burns and his agents in Chicago to get him (Allen) to swear he had heard Conley confess to the murder of Mary Phagan. He told a sensational story about being left alone in a room of the Burns agency in Chicago with a great pile of money in silver and greenbacks spread out on the table, and which he swore he never touched.

"POISON" AFFIDAVIT.

Interesting affidavits were also read by the solicitor from Charles A. Isom, who claimed he was employed by the Burns agency to go to Chicago and get a statement out of Allen, and from Anna Maude Carter, the negress to whom Conley was alleged to have confessed, in which the Carter woman swore that an unknown man had offered her a bottle of poison and urged her to

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**GEORGE EPPS MAKES SENSATIONAL
STATEMENT**

MANY SENSATIONS SPRUNG BY DORSEY AT FRANK HEARING

(Continued from Page One.)

put some of it in Conley's food.

In its rebuttal, the defense read affidavits from Albert McKnight repudiating his testimony at the trial, from J. M. Minor, a newspaper man, who swore he interviewed McKnight on February 21, and that McKnight told him he made his repudiation voluntarily and without promise of reward and that it was the truth; from Minola McKnight, who swears that her husband had frequently admitted to her since the trial that he had sworn falsely; from Dan S. Lehon and Dan R. MacIntyre, who swore that McKnight had acknowledged his affidavit of repudiation in their

presence and had held up his right hand and swore it was the truth.

Numerous other affidavits were read by the defense, telling of the manner in which the evidence used in the extraordinary motion was obtained; that the affidavits were all given freely and voluntarily and without promise of reward.

SENSATION IS SPRUNG.

Immediately after the hearing of the extraordinary motion was resumed Solicitor Dorsey sprang a sensation by requesting the court to hold Dan S. Lehon, superintendent of the southern detective agencies of William J. Burns, in a reasonable bond for appearance before the Fulton grand jury in connection with the C. B. Ragsdale affidavit.

"Mr. Lehon's home and headquarters are in New Orleans, your honor," explained the solicitor, "and it is important that he be heard by the grand jury when it investigates the circumstances of Mr. Ragsdale's affidavit."

Judge Hill directed that an order be drawn requiring a bond of \$1,000 from Mr. Lehon for his appearance before the grand jury.

The solicitor then announced that after the publication of yesterday's proceedings which included the testimony of L. P. Eubanks, who attacked the character of Miss Nellie Wood, Miss Wood appeared at his office in tears and requested permission to reply in open court to Eubanks' attack.

MISS WOOD TAKES STAND.

The solicitor asked and received permission for her to go on the stand. After she had been sworn, the solicitor questioned her.

"What is your name?" "Nellie Wood."

"Are you the Miss Nellie Wood who worked in the National Pencil factory for two days?" "Yes."

"Why did you quit the pencil factory?" "Because I was insulted by Mr. Frank."

"What was the proposition that Frank made to you?" The witness hesitated, and the solicitor inquired, "Do you desire not to state the proposition?" "I think the details are unnecessary," replied the witness.

"Did L. P. Eubanks call you up over the telephone?" "Yes."

"Tell the court about it." "One day some one called over the phone at my home and asked for me. When I answered, a man's voice at the other end said, 'This is Mr. Eubanks.' I replied, 'I don't know anybody of that name.' He said 'You would know me if you saw me. I have a matter of business that I want to discuss with you.' I asked what sort of business he had with me. He answered he couldn't tell me over the telephone. He wanted to come out to my home and talk with me. My little brother was sick, and I was staying at home nursing him. Mr. Eubanks wanted to know when he could come and see me. I told him if he had business to talk with me, he could come at any time. He did come out in an automobile.

WANTED PRIVATE TALK.

"My father and doctor were there. I told him but a few minutes. He said he wanted to talk to me privately and that fifteen minutes would be enough. He asked me to get in the automobile so he might talk to me privately. We drove over to my cousins in the car. On the way over he asked me if I remembered a certain sensational trial in Atlanta. I asked which trial he meant. He said the Frank trial, and asked me what I knew about it. I told him I knew very little. He said, 'Well, I haven't time to talk fully with you, but I want to make an appointment with you to talk with a man who is interested.'"

"I agreed to the appointment for next day. Eubanks brought Burke with him to the appointment. Very little was said except Burke invited me to go to his office later, which I did. Eubanks told me I was a working girl and here was an opportunity for me to

make some money if I would go to work on the Frank case for Burke. He said I could make lots of money, that I needed the money and ought to take the work. No amount of money was named. Afterward Eubanks told me he worked for the Southern railway."

"Miss Wood, are you engaged to be married?" "Yes." The witness hung her head, and her voice grew husky. "Put Mr. Eubanks' false testimony just ruined me. He told an untruth when he said I 'drifted' up and down Decatur Street."

ROSSER QUESTIONS WITNESS.

Attorney Rosser cross-examined the witness as follows:

"Miss Wood, you testified before the coroner's a jury in this case, did you not?" "Yes."

"You swore then you would tell everything you knew about it, didn't you?" The witness hesitated a moment, and replied, "Yes."

"Miss Wood, how many times have you been arrested?" "I was never arrested," the witness answered indignantly.

"How many cases have been made against you at police station?" "None," snapped the witness.

"Do you mean to say you were never taken into police court?" "I was once a witness in a case."

"Where did you live last year?" "At No. 8 Essie Avenue, Ormewood Park."

"Where do you live now?" "On Pulliam Street, with my parents."

"Whom did you live with on Essie Avenue?" "With my mother."

"Where did you live before you went to Essie Avenue?" "On Cochran Street for two months."

"Prior to that, where did you live?" "On Fitzgerald Street, near the Fulton Bag and Cotton Mills, for six or seven years."

"How old are you?" "Twenty-two years."

"And you say you never were arrested?" "No. If any person named Nellie Wood was arrested, it was somebody else."

"Do you know Policeman Hollis?" "No, not by name. I don't know whether I would know him if I saw him."

SIGNED BOND FOR PRINTER.

"Have you ever signed any one's bond?" "Yes."

"Whose bond?" "It's not necessary to publish the name."

"You'll have to answer that question, Miss Wood," directed Judge Hill.

"I signed a bond for a printer named Eddie Ward."

"What was the charge against him?" "He was charged with seduction."

"Why did you sign his bond?" "Because he was a very dear friend of a lady friend of mine."

"What is your lady friend's name?" "Her name was Ward, too."

"What sort of work did she do while here?" "I don't know."

"She was a very dear friend of yours and you don't know what she did?"

"No; you go and ask her."

"Did she live with Ward?" "No, she lived with her father and mother."

"Where?" "On Cain Street."

Mr. Rosser misunderstood the street name, and inquired, "What number on Decatur Street?"

The witness retorted, "Decatur Street! I didn't say anything about Decatur Street. You seem to have Decatur Street in your head!"

"I beg your pardon," said Mr. Rosser. "What number and what street, did you say?" "Eighty-three Cain Street."

FATHER WORKED FOR HER.

"And you don't remember what kind of work she did?" "I don't suppose she had to work. She had a father to work for her."

"You say you only signed one bond?" "That's all, and I'm not going to sign any more."

"Where is Miss Ward now?" "I don't know."

"How long since you heard from her?" "Three or four months."

"Where was she then?" "At home with her parents."

"How long have you known her?"

"Several years."

"Where did she live all the time you knew her?" "On Cain Street."

"You said you are a working girl. What sort of work do you do?" The witness hesitated. "I am a milliner," she answered, "but I recently quit work to get married. This thing, though, has ruined me."

"What did you do before you became a milliner?" "I was once a telephone operator."

"I know, but just before you became a milliner, what did you do?" "I was making a living all right," answered the witness.

"Where?" "I was working—didn't you just hear me say so?"

"You said you were a telephone girl. At what exchange did you work?" "I worked for the Southern Bell for a time at the exchange on Pryor street, and later at the Terminal station."

WORKED IN COTTON MILL.

"Before you became a telephone girl, what did you do?"
"Nothing disrespectful."

"I understand, but please answer my question." The witness hung her head and replied slowly, "I worked in a cotton mill," and then added, "I don't see why you ask me these questions. I am trying to hold myself up and you just want to publish these things!"

"NO," said Mr. Rosser, "that's honest honorable work. What did you do before you began to work in a cotton mill?" "I began to work there very young."

"What else did you do?" "That's enough. I've worked almost for twenty years."

"Have you done any other work, Miss Wood?" The witness did not answer this question, but replied by saying, "I am hurt, this morning. I am scandalized."

Mr. Rosser repeated the question. "Where else did you work?" The witness, answered, "Not for you all! I didn't take what Burke offered me."

"Did you work anywhere else in Atlanta, Miss Wood?" "No, not in Atlanta."

Solicitor Dorsey: "If the court does not object, I would like to get the witness to tell what occurred between her and Frank in his office."

"I don't know that I remember every detail," said the witness. Then she was silent.

"Well, come down," said the solicitor.

LEHON NOT ARRESTED.

Attorney Rosser asked the witness several questions about her seeing Frank in his office and the workroom. She was excused.

The solicitor started to read an affidavit signed by Harry A. Alexander, the attorney, at Mr. Alexander's request. Just at this juncture the order to arrest Lehon was presented to the judge by one of the state's assistants, and was signed by the judge.

"Just a minute," said Mr. Arnold; of the defense. "It would be very embarrassing for Mr. Lehon to be arrested. If you will telephone him, he will come down here."

"Yes, I will see personally that he makes the bond," said Mr. Rosser.

"All right," said the solicitor. "Mr. Sheriff, give the bond to Mr. Rosser. He has promised to see that it is made."

The solicitor then proceeded with Mr. Alexander's affidavit. This was to the effect that Mr. Alexander's affidavit. This was to the effect that Mr. Alexander had secured the plates or engravings of the murder notes from the Foote & Davies Co., which printed his pamphlets. These plates were made by the Southern Engraving Company, and were absolutely the same as used in the brief of evidence submitted to the supreme court in the Frank case; that they had not been retouched, to his knowledge, and that he had never stated to Devore or anyone else that they had been retouched.

After reading the affidavit, the solicitor said:

"We still contend that the picture shows it has been retouched, but I read Mr. Alexander's statement in justice to him."

INDICTMENTS INTRODUCED.

The solicitor then introduced the indictments of L. P. Eubanks, J. E. Duffy, Mel Arnold and others for carbreaking. He stated these indictments were not passed in 1912.

He read the affidavit of Mrs. George W. Jefferson, a factory employee, and state's witness at the trial. This was to the effect that when she first went back to work, after the trial, she was told by her immediate superior her machine had been given away, but

later she got her job back, and that Mr. Darley, the formen, told her she was mistaken in the testimony she gave at the trial and that she should go to the solicitor and retract it.

Mary Perk, a forewoman in the pencil factory, also tried to get her to say that the spots on the metal room floor were probably paint, not blood, as she had testified. Her affidavit caused a number of amused smiles when a portion of it was read to the effect that when she went to the solicitor's office to get her per diem as a witness, he told her that people had been sending him vegetables and all sorts of things from various parts of the state: that among these gifts was a cake, which he gave to her.

A long time after the trial, she said, C. W. Burke came to her and tried to induce her to change her testimony, and laid much emphasis on the cake episode. He asked her repeatedly if she had ever been intimate with Solicitor Dorsey. After Frank's appeal was turned down, she said, she was laid off from work at the factory and so was Mel Stanford.

REFUSED TO SIGN PAPER.

She ended her affidavit by saying that a short time ago Lehon came to her and tried to get her to sign a paper without reading it, and she refused.

The solicitor then put in evidence the conviction of Anna Maud Carter on a robbery charge. She was sentenced to serve fifteen years, but got a new trial, and the case is pending, he said.

The solicitor then read a sensational affidavit from George W. Epps Jr. It began by reciting his testimony at the trial, which the affiant declared is the truth. In November of last year, the affidavit continued, a man who went by the name of Terry, "a short, skinny man," made his acquaintance by frequently sending him with notes to a man named Smith, whom he could never find. After awhile this man Terry told him he was going to take a snow company to New Orleans, and offered to take him with him." Epps agreed to this, and also agreed not to say anything to his parents; that when he got ready to go, the man gave him a ticket to

Birmingham instead of New Orleans; that Terry separated from him as he was getting on the train, and a man who had on glasses and acted like he was blind, had assist him to the train.

BLIND MAN DISAPPEARS

That after he got on the blind man disappeared, and Terry didn't talk to him until they were nearly to Birmingham; that, he and Terry got off at Birmingham at 3 o'clock in the morning; that as they were going up the street a man who came up and said he was Detective Kelly, of Birmingham, but looked very much like the blind man except he didn't have the glasses on, grabbed him and told him he was arrested for stealing \$12 from a messenger service; that Terry protested in behalf of Epps, and Kelly finally agreed to go the hotel with them and call up the chief of detectives; that they went to the Birmingham hotel, and Kelly after telephoning or pretending to telephone, announced he couldn't free the boy as the chief said he was wanted for perjury in the Phagan case as well as for larceny.

That Kelly further announced that the chief was coming down to see him; that pretty soon a man put in his appearance and was introduced as the chief of detectives; that then all three—Terry, Kelly and the chief of detectives—started talking to him about the Frank case and telling him he had lied and must tell the truth or go to jail; that they cursed and abused Detective Black and promised to make it ho for him; that finally the chief of detectives wrote out three pages and then left; that he (the affiant) did not get any sleep the rest of that night; that in the morning the chief of detectives came back with a stenographer, read over what he had written to the stenographer, who copied it on a typewriter; that they then took him to a lawyer, before whom he signed the paper; that he was afraid not to sign it; that soon afterward Terry received two telegrams from Atlanta and told him they would have to go back there and stay a few days.

CAME BACK TO ATLANTA.

That they came back to Atlanta, and Epps spent the first night at the Gate City hotel; that the next day Terry gave him some money and told him to go home and stay there for a little while; that Terry made all sorts of threats about how he would carry him to Birmingham and what would happen to him if he didn't stick to the new story told by the paper signed in Birmingham; that he remained in Atlanta until he got in trouble and was arraigned before Judge Tindall, of the juvenile court.

He says Judge Tindall would have placed him on probation, but he begged to be sent to the reformatory as he was afraid of Terry, Kelly, and the chief of the Birmingham detectives; that Stiles Hopkins, a lawyer connected with Mr. Rosser's office, came to Milledgeville with a copy of his Birmingham affidavit, and he swore simply to the fact that he had signed the affidavit in Birmingham, without reaffirming it was true; that C. W. Burke has been pointed out to him; that Burke is Kelly; that Jimmy Wrenn has been pointed out to him, and Wrenn is Terry; that B. Bernard has been pointed out to him, and Bernard is the chief of the Birmingham detectives.

CARTER WOMAN'S AFFIDAVIT.

The affidavit of Anna Maud Carter, made April 23, 1914, before the city detectives, a short time before she made her affidavit for the defense, was read by the solicitor. In it the negress swore she had received only two or three letters from Jim Conley and there was nothing vulgar in them; that one of the jailers offered to let her into Conley's cell and promised her \$2 if she would go in there, but she didn't want to go; that later on he did send her in there one day and she talked to Conley for three hours; and that in her opinion Conley is not a pervert.

The affidavit of Anna Maud Carter continued that a black-haired man whom she doesn't know, but whom she undertook to identify by naming his associates, stopped her and asked her if she didn't want to get rich quick; that then he said to her: "Take this little bottle, and be mighty careful for it's very powerful, and put a drop or two in Conley's food when you are bringing it to

him. If you do that, I'll get you out by night, and you'll be a rich woman; that she protested that Conley had done nothing to her, and the man answered; "What do you care for one more dead negro!" She refused, however, to take the bottle.

The affidavit of Mrs. Homer C. Edmondson, mother of Monteen Stover, was read. In it, Mrs. Edmondson related an account of a visit by herself, her husband and her daughter to the office of Attorney Samuel Boorstein, in the Atlanta National bank building; that they found Boorstein there; that he talked to them awhile, among other things asking Monteen Stover about her visit to the pencil factory on the day of the murder, and inquired if she didn't go for something else beside her pay; that Monteen repeated what she had testified at the trial; that they were impatient to leave, but Boorstein kept engaging them in conversation, and offered to send down and get some soft drinks for them; that when they insisted on leaving, Boorstein told them Mr. Burns wanted to talk with Monteen.

SLAPPED STENOGRAPHER.

Further she replied if Burns wanted to talk to her daughter, he would have to come to her home and talk to her; that they started to leave and the stenographer shut the door; that she slapped the stenographer and told her to open the door and let them out; that about that time Burns and Herbert Haas and Rogers came in, and they went on out.

Homer C. Edmondson, stepfather of Monteen Stover, signed the next affidavit. He swore Burns told him Monteen Stover didn't go to the pencil factory on the day of the murder; that he (affiant) did not engage in any conversation with Burns; that he thought it best not to discuss the matter with him.

Another affidavit by Edmondson was that after this visit to Boorstein's office. Mrs. Frank and Rabbi Marx came to his home and arranged for an interview between Monteen Stover and Burns; that Burns came out that afternoon, accompanied by Rabbi Marx and Mrs. Frank; Burns apologized to Monteen Stover for the

occurrence in Boorstein's office; that Burns sought to interview Monteen Stover about her visit to the pencil factory on the day of the murder; that she replied to him by suggesting that if he wanted to know her testimony he could get it by going to the solicitor; that Burns appeared very angry; that he turned to Mrs. Frank and remarked, "You are up against it. You will have to bear the thorns."

MRS. FRANK QUOTED.

The solicitor continued reading from the affidavit wherein Edmondson purported to quote Mrs. Frank as saying she had been criticized for not visiting her husband. After reading a line or two of that the solicitor paused and said he thought that part unnecessary and he wouldn't read any further.

The affidavit of Kate Alen, a negress, was that she lived on Piedmont Avenue; that she is the wife of Aaron Allen; that she went to see Jake Jacobs, the Decatur Street pawnbroker, about her husband leaving town; that Jacobs promised to bring Allen back without cost to her.

The solicitor read an affidavit by Aaron Allen, negro, that in times past he has done some work for the city detectives; that a few days after the Phagan murder, Detective John Black put him in a cell with Newt Lee and told him to get the truth out of Newt; that he left Atlanta afterward and went to Indianapolis, where he fell sick with tuberculosis; that on March 30, 1914, a man who said his name was O'Neal came to him in Indianapolis and told him he wanted him to go with him to Chicago to help him catch a certain negro; that O'Neal called him "Mr. Allen;" that he went with O'Neal, who paid his expenses; that he stayed in Chicago five days, at the end of which time he was paid \$15 by the Burns agency there.

NEGRO HAD WHITE WIFE.

In Chicago he was sent to stay at the home of a negro detective named Bell, whose wife appeared to be a white woman; that Bell was employed by the Burns Agency; that he was told to

report at an office on the sixth floor to report at an office on the sixth floor of the Transportation building; that when he went there, he found it to be the office of the William J. Burns National Detective Agency; that he was ushered into a room and left alone with Mr. Burns; that Burns asked him if he knew his wife wanted to see him; if he was acquainted with Jake Jacobs; if he was sick enough for a doctor, promising to call one; that later Burns went out and sent in Jake Jacobs, the Decatur Street pawnbroker; that both Burns and Jacobs addressed him as "Mr. Allen;" that he asked Mr. Jacobs why he called him "mister;" that Jacobs answered: "We are up in a different country now, and you are as good as anybody;" that Jacobs told him his wife wanted to see him; that Jacobs asked him why he left Atlanta; that he said he left of his own free will; that Jacobs said: "You know you are lying! I've got a good mind to knock your down head off! You know the city detective gave you money to leave;" that the affiant answered, "They didn't do anything of the kind;" that later Mr. Burns returned and said, "Mr. Allen, the only thing we want is the truth, and nothing but the truth. You know you lied about not knowing Frank and Conley and Lee."

SAID HE TOLD TRUTH.

Affiant reiterated he had told the truth; that Burns said, "You know you are a liar. You know you didn't get that \$350 digging and shoveling;" that Mr. Burns said, "You are a liar if you say nobody gave you money to leave town;" that affiant answered that Detectives Scott and Black put him in a cell for about twenty minutes with Newt Lee; insisted he was innocent of the murder; that Newt Lee said, "My boss acted mighty strange that day. When I came to the factory to go on duty, he told me I was too early and let me go out in town for a while. He called me up 7 o'clock that night, and that was strange."

The affidavit continued: "After Newt Lee talked to me, the detectives took him and put him in the cell with Frank. When they brought him back, he told me Frank told him if he kept on talking so much, he would get both of them into trouble."

Allen's affidavit continued that Burns, Jacobs, O'Neal and Charles Isom talked to him in Chicago; that the negro detective, Bell, advised him not to tell any stories; that after he had talked with Burns twice. Isom showed up; that Isom told him he had come right to Chicago after him and was going to bring him back to Atlanta; that Isom, then said he was teasing him about it, that he was working for Burns, and that everybody said he (Allen) had been paid to leave Atlanta, that he had been put in the cell with Conley and Conley had confessed to him that he killed the girl; that he (Allen) told Isom that was not true, as he never had seen Conley.

"FEATHER IN HIS CAP."

Isom insisted he did know Conley, and said the detectives knew his statement would be against Conley and they gave him money to get out of town; that Isom asked him if he ever told any lies, and said he would try to show him if he did tell him what he wanted him to say there was a lot of money in it for him, Allen; that it would be a feather in the cap of each; that Frank was never going to come clear anyhow; that (Ailen) ought to help him (Isom) make those feathers; that later if he wished he could change his affidavit just like Conley changed his.

"I told him I was going to tell the truth," the affidavit of Allen continued,

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DAN LEHON, BURNS MAN, HELD FOR GRAND
JURY PROBE

MANY SENSATIONS

SPRUNG BY DORSEY AT FRANK HEARING

(Continued from page 2.)

“Isom then went out, and Mr. Burns came in and called a stenographer. Allen began dictating a statement to the stenographer Mr. Burns stopped me and told me that was the same old story as was printed in the papers when I was scared by the city detectives. Mr. Burns shook his finger in my face and said, ‘You know something and won’t tell.’ I insisted I was telling the truth. Mr. Burns got up, shook hands with me and said he had handled 200,000 colored men in his career, but this was the first time he ever knew one afraid to tell the truth.”

LEFT ALONE WITH MONEY.

“A day or two after that” I was brought back to Burns’ office and sent into a room where a big pile of money, greenbacks and silver, was scattered on the table. I was left there alone. I looked at that pile of money and tried to figure out how much there was of it, but I never touched it. It was scattered all over the table. After a while, Bell came in and told me he wanted me to dictate an affidavit. Mr. Burns also came in and told me they wanted the truth and nothing but the truth. I dictated an affidavit. If there was anything in that paper about me knowing Conley it was put in there by somebody else after I dictated and signed it. Mr. Burns told them to pay me what they had promised and let me go. Bell went to the station with me and told me I was wise for telling the

truth. I went back to Indianapolis, then to Cincinnati, and in about two weeks, came back to Atlanta. About the first person I saw here that I knew was Mr. Jacobs."

"I was on my way home. I live about a block and a half from his pawnshop. He called me in and told me I ought to go to a high, dry climate and oughtn't to stay here; he told me to wait a minute, and went back in his pawnshop and called somebody; then he came back and told me there was some trouble out about me; that if I got into trouble to come to him. A few days afterward Jacobs had me meet him at the Fourth National bank building, and took me to an office on the eleventh floor. He told me Mr. Burns wanted to see me, and then went out. I waited awhile and Mr. Burns didn't show up. I then left. Later I went to see Jacobs, and he said Burns had said my affidavit as no good anyhow."

ISOM'S AFFIDAVIT.

The affidavit of Charles A. Isom was read. He swore about the latter part of February or the first of March he met C. W. Burke, who told him he was hunting some negroes who had worked next door to the pencil factory and who were reported to have heard a girl's cries coming from the basement about 2 o'clock on the day of the Phagan murder; that Burke engaged him to help him locate the negroes, one of whom was named Calhoun; that Burke paid \$3 a day for his work; that Jimmy Wrenn was working for Burke on the Frank case: that Burke arranged for him to go to Chicago and get an affidavit from Allen about Conley confessing to him; that he paid him \$3 a day for his work and gave him \$100 for expenses; That Burke told him Jake Jacobs and Burns and Hopkins had failed to get the affidavit out of Allen; that Allen didn't like the Burns people anyhow; that after he went to Chicago and talked with Allen, he reported to Burns that Allen didn't know Conley; that Burns threw out his hands and said, "Well, why did he leave Atlanta, then? Where did he get that \$300?"

"I told him Allen said he got it selling whisky and running a gambling house." That Burns said, "He's lying. He's just loyal to the police. Go back. You get him to come across."

SAID IT WOULD BE LIE.

The affidavit continued that Allen told Isom (the affiant) he would make the affidavit but it would be a lie; that Isom reported this to Burns, and Burns cursed Allen, telling him he might as well come across; that on the sleeper returning from Chicago, Burns told Isom that Allen had given him the affidavit he wanted; that while in Chicago Isom heard Burns curse Calhoun, one of the negroes wanted by Burke, and call him a liar; that Burns' son told him the elder Burns had got an affidavit from Calhoun; that on the train Burns showed Isom (The affiant) an affidavit he had taken from some man Isom did not recall, and who purported to be a Salvation Army man and claimed to have seen Conley in the alley back of the pencil factory on the afternoon of the murder.

"This man in his affidavit claimed to have left Atlanta because sentiment was so strong here," continued Isom's affidavit. "He said he told Detective Scott about his evidence, and Scott told him he knew his business."

The affidavit went on that the Salvation Army man had seen a tall, black negro come out of the pencil factory alley and go over and buy a lunch from a negro woman, and that on the way, the negro had dropped a day book and a black pocketbook that the name Conley was written in the day book; that this pocketbook and day book were still in the possession of the Salvation Army man.

STATE RESTS CASE.

Attached to Isom's affidavit was a note written to him by Jimmy Wrenn and a telegram sent to him by C. W. Burke. After reading Isom's affidavit, the solicitor tendered a transcript of Frank's evidence before the coroner's jury. The solicitor said this showed where Frank claimed to have been at 1:10 p. m. on the day of the Phagan murder.

Here the state rested its counter showing.

Attorney Leonard Haas began reading the rebuttal affidavit of the defense.

The first was one by Albert McKnight on January 19, before Judge E. D. Thomas, chief judge of the municipal court. In it Albert McKnight swore the affidavit he gave Burke, repudiating his testimony at the Frank trial was true.

John M. Minor, a reporter for Hearst's Sunday American, signed the next affidavit, swearing that on February 21, he interviewed Albert McKnight about his "repudiation" of his testimony, that McKnight declared he had lied on the witness stand, and that he had given his repudiating affidavit without regard or promise of reward; that he was anxious to rectify the wrong he had done to Frank.

GAVE AFFIDAVIT FREELY.

An affidavit by Minola McKnight, wife of Albert McKnight, was that she was present when C. W. Burke called at her home to talk to Albert; that she heard the conversation and Albert gave his affidavit to Burke without any reward or promise of reward, that after the Frank trial Albert repeatedly told her he testified falsely against Frank; that he was glad he made the affidavit for Burke because it relieved his mind and he hoped it would remedy the wrong he had done Frank.

The affidavit of Dan S. Lehon was read. In it the detective swore that on Tuesday, April 14, 1914, while in an automobile with Burke and D. I. MacIntyre, a notary, he met Albert McKnight on Glennwood avenue, and Albert declared the affidavit he gave Burke was true in every respect and held up his hand and swore to it; that they had brought with them an affidavit for Albert to sign, but on questioning him they found he had changed his address and place of employment, so they made an engagement with him to perfect the affidavit and bring it back the next day; that they brought it back and Albert signed it.

An affidavit by Dan I. MacIntyre corroborated the affidavit by Lehon.

AFFIDAVIT FROM BURNS.

Mr. Haas read next affidavits by Dr. Thomas H. Hancock, by Herbert J. Haas, and by William J. Burns, in which they stated that they all interviewed Albert McKnight at the Fairhaven hospital in the presence of C. W. Burke; that they questioned the negro closely and he stuck to the affidavit made for Burke and asserted positively Burke had not offered him any reward.

The affidavit of Charles Phillips, Jr., was read, in which he declared McKnight told him the affidavit given Burke was the truth and Burke offered him no inducement to make it.

The affidavit of Fred Lynn was read, in which he swore he heard Lehon and Burke talking to McKnight about the affidavit; and McKnight declared it was the truth, and he was ready to sign a new affidavit to the same effect.

Attorney Rosser read the testimony of Nellie Wood, delivered at the coroner's inquest. In that she said she lived at 8 Corput street and was employed at the factory only two days. She left, she said, because she didn't like the way Frank acted toward her, because he put his hands on her in showing her, her work, and that was unnecessary; that she worked in the factory about two years before the time she was testifying.

WROTE GIRLS AFFIDAVIT.

The affidavit of Austin G. Dennison, of 600 West Sixty-first street, New York, a notary public, was read. It was to the effect that Ruth Robinson, 74 Walton Street, first made the affidavit used by the defense to him. When he was in Atlanta, she came to the sitting room at the Winecoff hotel, he swore; he was the only person in the room with her, and she told him her story and he wrote it down in longhand; that later he dictated it to a stenographer, met her at a drug store and read it over in the

presence of C. W. Burke. Later he took her to Burke and she swore to the affidavit before him.

The affidavit of C. W. Burke was read. In it, he denied the charge by the negro, Albert McKnight, that he offered him a job or other inducement to make an affidavit. After McKnight had made his affidavit, swore Burke, he stated he was afraid the city detectives and the people at the store where he worked would harm him. Burke swore he told the negro that if Minola wanted to cook for him he would let the two of them live in servants' quarters on his place so he could protect her and that he also told the negro he would speak to Mr. Schoen, who had a guano factory, and see if he could give Albert a job. He did speak to Mr. Schoen, and he wasn't informed Albert got a job. Burke denied positively he ever told Albert to leave the city, or knew he was going to leave.

RUTH ROBINSON'S AFFIDAVIT.

The evidence of Ruth Robinson at the first of Frank in which she stated she had heard Frank call Mary Phagan "Mary," was also read.

The affidavit of Rabbi David Marx, Isaac Haas, Isaac Schoen, B. Wildauer, J. O. King and Otto Schwab was read. In it they swore they were present in the offices of H. J. & Leonard Haas on April 23 when Anna Maud Carter came in and made her affidavit. Some of them asked her if she had been promised a reward, and she said she had not been. They saw her read the affidavit herself before she swore to it.

Dan S. Lehon and C. W. Burke made an affidavit in which they stated that on April 9 they went with J. O. Knight, a notary public, to the home of Marie Karst, and that she swore to a new affidavit substantially the same as the one she first made for Burke. She had the affidavit read to her before she swore it.

After the reading of this affidavit, Solicitor Dorsey said: "We don't deny that she signed the affidavit."

Lehon, Burke, Herbert J. Schiff and J. O. Knight swore they heard Jimmie Mayfield's affidavit read to her before she signed it.

Dr. B. Wildauer and A. L. Guthman and Albert Haas made affidavit that on May 1 they heard Duffy's affidavit for the defense read to him, and he declared it contained only the truth.

BURKE IS CINCINNATI.

The affidavit of Joseph W. Conroy, of Cincinnati, was read, in which he related the circumstances under which Dewey Hewell's affidavit was taken. Conroy stated that Burke came to him in Cincinnati and asked him to go to the Home of the Good Shepherd to be present at an interview with Dewey Hewell. He and Burke talked to the girl together, he said, and, after Burke had been talking a short time, she broke down, wept and said she had not sworn to the truth at the Frank trial. She then made the affidavit. He was present during the whole time, Conroy swore, and Burke held out no inducement to the girl.

Herbert Schiff, Rudolph Lowe and Miss Eula Mae Flowers swore they heard Miss Jimmie Mayfield and Mrs. Cora Falta swear to their affidavits.

Sig Montag, H. Hein and others made affidavit that the character of the three witnesses, Schiff, Lowe and Miss Flowers, is good.

The affidavit of C. W. Burke was submitted, swearing he read over Mrs. Cor Falta's affidavit to her and she asked that no alteration be made before she signed it.

In another affidavit Burke denied he told Marie Karst anything about the Pettis girls. In still another affidavit, he denied the statement of Carrie Smith that he had gone around under the assumed name of Maddox, and asserted he has never promised any person any sort of reward to make any statement in this case.

LEHON'S AFFIDAVIT READ.

Dan S. Lehon's affidavit was read, in which he said he was present when Mrs. Mamie Kitchens Edmonds read her affidavit and said it was true and signed it.

Dan McIntyre, the notary public made a similar affidavit that he was present when the Edmonds affidavit was signed.

J. W. Wrenn made an affidavit in which he asserted that he has never been an employee of Leo M. Frank or Frank's counsel, and that he has never been in the office of Rosser, Brandon, Slaton & Phillips. He has worked for C. W. Burke and has been paid by Burke, he said. Burke instructed him to seek only the truth; and he has done that without the use of any unfair methods, he swore. He has never offered anybody a bribe or done anything else unfair, he swore.

Burke's affidavit in regard to R. P. Barrett's affidavit was read next. Burke admits he did pose as a magazine man to Barrett, who after he had been introduced to him by Wrenn, said he was figuring on writing a story about the case. He did try to get Barrett to make an affidavit, and didn't offer him anything, and did his best to impress upon Barrett the necessity of telling the truth and nothing but the truth. Burke swore he told Barrett he might make considerable money out of the story of the case, but that he himself did not offer Barrett anything.

RABBI MARX AFFIDAVIT.

Rabbi David Marx made an affidavit in which he declared that on April 14, with Mrs. Leo M. Frank and Dan Lehon, he called on Mary Rich. They exhibited to her an affidavit marked "Exhibit A1," and she declared in their presence that this affidavit was true except that the time should be 2:30 instead of 2:15. They wanted her to sign another affidavit in which they would be changed, but she refused, saying that she had promised not to sign anything else.

The affidavit of Dan S. Lehon submitted corroborated that of Rabbi Marx.

The affidavit of H. M. Powell was read. He swore that on March 13, he took the affidavit of Mrs. J. B. Simmons and the affidavit was the same as that originally made to C. W. Burke, and it was read over to her before she signed it; that she did not ask that any changes be made.

Otto Schwab, Isaac Haas, B. Wildauer and Rabbi David Marx signed an affidavit that they heard the affidavit of Mrs. Maude Bailey and Mrs. Mae Barrett read over to them in Herbert Haas' office on April 23, and that the women both stated the affidavits were correct.

Mr. Haas read an affidavit by George W. Epps, Jr., prefacing it with the explanation that it was to clarify Stiles Hopkins' connection with the matter. The affidavit was made by Epps at the state reformatory in Milledgeville, on February 27, and was attested by J. Cleveland Cooper, clerk of the superior court. It is the same affidavit as was printed several weeks ago in the newspapers, in which young Epps declared he swore falsely at the inquest and at the Frank trial because he had been persuaded to do so by Detective John Black and encouraged to do so by Solicitor Dorsey.

RELIEVES HIS MIND.

He was glad of the opportunity to tell the truth and relieve his mind; that it was true he had known Mary Phagan, and that he rode into town on the same street car with her on the day of the murder, but that he sat three seats behind her; that Black persuaded him to swear he sat on the same seat with her and that it was about ten minutes to twelve when he boarded the car; that Black told him to say Mary Phagan told him (Epps) Frank had acted suspiciously toward her and she was afraid of him; that when Black took him to Solicitor Dorsey's office the solicitor asked him if he sat on the seat with Mary Phagan, and he answered no, but sat three seats behind her; that the solicitor then held a whispered conversation with Black and asked him what time it was he got on the car; that he told the solicitor Black had told him to say it was ten minutes to 12; that Mr. Dorsey again asked him

if he sat with Mary Phagan and he answered yes; that after he left Dorsey's office, Black impressed on him the necessity of remembering he was to say he got on the at ten minutes to 12 o'clock; that this was necessary to support Conley's statement.

AFFIDAVIT FROM HOPKINS.

Next Mr. Haas read an affidavit by Stiles Hopkins, in which Mr. Hopkins, swore in February or March he went to Milledgeville with an affidavit to read to George Epps, and if George Epps said its contents were true to secure Epps' signature to it; that he did not know who wrote the affidavit, but it was handed to him by one of Frank's counsel; that he took with him a letter of introduction to Superintendent Lovvorn, of the reformatory; on arrival at Milledgeville, he called on Mr. Cooper, clerk of the superior court, and took Mr. Cooper with him to the reformatory; that they found Mr. Lovvorn was sick; they went to Mr. Lovvorn's room, and Mr. Lovvorn sent for Epps and first questioned him, asking him if he had told an untruth at the inquest and the trial; that when Epps admitted he had, Mr. Lovvorn asked him if he wished now, to tell a different story; that when the boy said yes, he (Hopkins) read over the affidavit to him; that all the while Clerk Cooper was looking over his shoulder and following the reading of the affidavit; that Epps listened intently, and after he had finished reading it, Epps declare it was true and swore to it.

TALKED WITH BARRETT.

An affidavit by Jimmy Wrenn was read, in which Wrenn swore he knows R. P. Barrett, and it is true some time ago he met Barrett on Forsyth street, and it is true he talked with him about the Frank case; that it is untrue he said anything to him about making a barrel of money or going to New Orleans to work on the Frank case; that Barrett told him he (Barrett) was broke and out of work, and asked if Burke would help him get his job back in the pencil factory; that he (Wrenn) had intended to go to New Orleans and work in a machine shop, and that he suggested to Barrett that he go, too; that Barrett agreed to go, but later met him at the Terminal station and said he couldn't go; that he made another

engagement with Barrett to go, but Barrett failed to go; that some time after he met Barrett and inquired what he was doing, and Barrett told him he was engaged in writing a book on the Frank case similar to a 25-cent book which had been sold at the newsstands; that Barrett told him he was greatly handicapped in this work because of his lack of education, and that he would like to get someone who could help him; that he (Wrenn) told Barrett he had a friend named Kelly who did that kind of work and who might be introduced to help him.

TOLD BURKE ABOUT IT.

He told C. W. Burke about this, and later took Barrett to the Kimball house and introduced Burke to him as Kelly; that they had a conversation of about two hours, during which Barrett told Burke he believed Frank was innocent, but that he believed the murder was committed on the second floor of the factory and that the hair found on the lathe handle was Mary Phagan's hair, and that he (Barrett) was entitled to the reward. Burke, posing as Kelly, asked Barrett about his writings and the papers he had collected for his

(Continued on page 19.)

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MANY SENSATIONS SPRUNG BY DORSEY

AT FRANK HEARING

(Continued from page 4.)

book, and made an engagement to meet him the following day and look them over; that Barrett kept the engagement but failed to bring his writings and papers; that Burke told Barrett he could not help him unless he had these writings and papers, and that he would also have to have Barrett's own affidavit as to his information concerning the case; that Burke was taking an affidavit from Barrett when Barrett interrupted, declaring he didn't want to give any affidavit; that Burke then offered to go with him before Solicitor Dorsey or his (Barrett's) attorney, who would assure him it was all right; that Barrett said Madison Bell was his attorney; that Burke said "I know Madison Bell. He's a good lawyer. We'll go to see him."

LOANED BARRET \$13.

Barrett refused to do that, but made an engagement for the following morning, when he said he would bring his notes and other writings. That Barrett did not do that. Wrenn, the affiant, denied in the affidavit that he ever asked Barrett not to tell what he had said to him or that he had asked him in event he was going to tell to let him know first so he could leave town. He also denied he promised to pay Barrett's way to New Orleans, but admitted he had loaned Barrett \$1 because Barrett told him he was hungry and begged him for it; that he gave him the money to get away from him.

An affidavit by Frank H. Neely was read, in which he swore that on Monday, April 20, 1914, he called up the Cotton States Belting and Supply company to give an order; that S. A. Pardee was sent to him to take the order; that after the order was taken,

Pardee started a conversation declaring that since he had given an affidavit to Frank's lawyers, in which he stated he saw Frank at Whitehall and Alabama streets shortly after 1 o'clock on the day of the murder, he had been harassed and worried to death by lawyers and detectives. Detectives Campbell and Starnes had called to see him on numerous occasions and telephoned him frequently. They had asked him, said Pardee, if the date he saw Frank was not April 27 or some other day and he answered he didn't know the day of the month but it was on Memorial Day; that he referred them to Mr. Green, and that Mr. Green got impatient with them and told them it was on Memorial Day.

DECIDED TO SEE DORSEY.

Pardee said Detective Starnes had called him several times in an endeavor to get him to go to police station. Neely, the affiant, continued that some days after his conversation with Pardee, Pardee came up to him on the street, put his hand on his shoulder, and said: "They have been worrying me some more. I have finally decided to go to see Solicitor Dorsey and am on my way there now."

An affidavit by Joseph C. Logan was read, attesting the good character and reliability of Frank H. Neely.

An affidavit by J. O. Knight, a notary public, dated May 5, 1914, was read. In it, Knight swore that James E. Duffy appeared before him and made his affidavit without promise of reward.

An affidavit by J. O. Knight, a notary public, dated May 5, 1914, was read. In it, Knight swore that James E. Duffy appeared before him and made his affidavit without promise of reward.

An affidavit by Dan S. Lehon was read, that he was present when Duffy made this affidavit.

An affidavit by C. W. Burke was that he knows James E. Duffy; that he interested himself in trying to get Duffy and others reinstated in the employ of the Southern railway, they having been discharged after indictment for car-breaking. One evening

he met Duffy at L. P. Eubanks' home, and in the presence of Mel Arnold and Eubanks, Duffy made his affidavit; that he had made no promise of a \$15-a-week job to Duffy; that he had promised nothing; and that Duffy made the affidavit freely and voluntarily.

BURKE SAW DALTON.

An affidavit by C. W. Burke in regard to C. B. Dalton's affidavit was read. Burke swore he went to Fort Myers, Fla., to see Dalton; that he told Dalton he did not believe the testimony given by him at Frank's trial; that Dalton answered that his brother-in-law, a man named Barber, formerly worked under Burke and Burke had been kind to him and he would tell him the real truth; that Dalton then made a statement and Burke took it down in long hand; that the next morning, accompanied by a notary named Hendry, he went out where Dalton was at work and Hendry read the affidavit to Dalton. Dalton said it was his, that it was true, and swore to it. Burke continued that he never promised Dalton any money or any other reward; that it was true he agreed to meet Dalton at 7 o'clock that evening, but after he got back to Fort Myers, he found the only train on which he could leave, left at 3 p. m.; that he took this train and has not seen Dalton since; that Dalton asked him if he couldn't get him a job as a railroad fireman; that he told him he couldn't, because he no longer had any connection with the Southern railroad; that Dalton asked him if he could get him a pass back to Atlanta; that he told Dalton asked him if he could get him a pass back to Atlanta; that he told Dalton it was impossible to get passes since the passage of the anti-pass laws. Burke swore there was no conversation between him and Dalton with reference to the Frank case being before the pardon board in Atlanta.

ANOTHER BURKE AFFIDAVIT.

C. W. Burke submitted another affidavit, this one regarding Miss Helen Ferguson's affidavit. In it he swore he knows nothing of any attempt to get Miss Ferguson to leave the city or any effort on any one's part to get her to marry; that he never had met her on the streets with Wrenn, and that he never had talked with her

on the streets about the Frank case; that Wrenn brought her to see him in the office of J. H. Porter in the Grant building; that he never sought to get her to change her testimony; that he had only asked her for an affidavit containing the facts about Conley's alleged attack on her.

An affidavit by C. W. Burke, in regard to the affidavit of Ivy Jones, was read. In this he swore he told Jimmy Wrenn to locate Ivy Jones, but not to talk to him about the Frank case; to tell Jones that an accident had occurred on the Southern road on Memorial day, April 26, and that the injured party had furnished his name as one of the witnesses; that he told Wrenn to have Jones recount his movements on that day, giving special attention to the persons he saw and held conversation with; that Wrenn took notes on what Jones had to say, and brought them to him (Burke); that from these notes he (Burke) had prepared an affidavit which Jones later signed.

J. W. Wrenn submitted the next affidavit, in reference to that of Ivy Jones. He swore Burke instructed him to locate Jones and say to Jones he was seeking information about an accident that occurred on Memorial Day, April 26; that the injured man had named Jones as one of the witnesses; that he was to have Jones detail his movements on that day, especially with reference to the persons with whom he came in contact; that the pretense was adopted because it was believed that if Jones' mind was taken away from the Frank case he would tell the exact truth about his movements on that day; that Jones signed the affidavit voluntarily, with a fountain pen and not color pencil as he later claimed.

DENIAL FROM WRENN.

The defense then read another affidavit from J. W. Wrenn, in which he denied he ever tried to induce John Shields, to swear that Conley is a pervert or that he tried to get Shields to find a negro woman who would give such testimony.

Another affidavit of Attorney Harry A. Alexander, in which he stated that he has studied the murder notes and the notes attached to the Annie Maude Carter amendment, and that Conley certainly wrote them all.

James I. Innis, of Chicago, who qualifies as a handwriting expert, also made an affidavit declaring that the same person wrote the murder notes and the Annie Maud Carter letters.

Attorney Rosser then stated to the court that he would like until Wednesday morning to make an effort to answer the affidavits read by the solicitor Tuesday morning.

Judge Hill then adjourned court until 10 o'clock Wednesday morning.

This means that the arguments will be commenced soon after the opening of court Wednesday.

Dr. George Wrenn Denies

“Frame-Up” Against Conley

Dr. George Wrenn, until recently an inmate of the county jail, characterizes as “lies” the statements of the negroes, Fred Perkerson and Frank Reeves, who, in affidavits used in the Frank case, charge him with conspiring to frameup a confession from the negro, James Conley.

Dr. Wrenn declares he has not been subpoenaed by the solicitor but is ready to answer a summons to court and answer every question out to him.
